

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF WISCONSIN

PRINCE ATUM-RA UHURU MUTAWAKKIL,
also known as NORMAN GREEN,

Plaintiff,

v.

PETER HUIBREGTSE, JUDITH HUIBREGTSE,
LEBBEUS BROWN, CHAD LOMEN,
ELLEN RAY, BRIAN KOOL
and DIANE ALDERSON

Defendants.

ORDER

11-cv-471-bbc

Judgment was entered in this case on August 22, 2012 in favor of defendants and dismissing this case. Now plaintiff has filed a notice of appeal along with a request to proceed in forma pauperis on appeal.

Plaintiff's request is governed by the 1996 Prison Litigation Reform Act. This means that this court must determine first whether plaintiff's request must be denied either because he has three strikes against him under 28 U.S.C. § 1915(g) or because the appeal is not taken in good faith. Plaintiff does not have three strikes against him and I do not intend to certify that his appeal is not taken in good.

However, I cannot tell whether plaintiff qualifies for indigent status on appeal because he has not submitted a trust fund account statement for the six-month period immediately

preceding the filing of his notice of appeal. Therefore, I will stay a decision on plaintiff's request for leave to proceed in forma pauperis pending his submission of the necessary trust fund account statement.

ORDER

IT IS ORDERED that a decision whether plaintiff Prince Atum-Ra Uhuru Mutawakkil, also known as Norman Green, may proceed in forma pauperis on appeal is STAYED. Plaintiff may have until October 9, 2012 in which to submit a trust fund account statement for the six-month period beginning approximately March 11, 2012 and ending approximately September 11, 2012. If, by October 9, 2012, plaintiff fails to submit the necessary trust fund account statement, I will deny his request for leave to proceed in forma pauperis on appeal for his failure to show that he is entitled to indigent status on appeal.

Entered this 19th day of September, 2012.

BY THE COURT:

/s/

BARBARA B. CRABB

District Judge